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4 Attorney for Plaintiff

5 Nargis Niaz

6 **UNITED STATES DISTRICT COURT**
 7 **NORTHERN DISTRICT OF CALIFORNIA**

9 Nargis Niaz) Case No.: C 07-4030 MMC
)
10)
) Plaintiff,
11)
)
12 Michael Chertoff, Secretary of the Department)
of Homeland Security;) STIPULATION TO VACATE
Condoleezza Rice, Secretary of State.) HEARING ON MOTIONS;
) [PROPOSED] ORDER
13)
)
14 Defendants.)

15 The Plaintiff, by and through her attorney of record, and Defendants, by the through their
 16 attorneys of record, hereby stipulate, subject to the approval of the Court, to the following:

17 1. The parties agree that the matter at issue in the instant action may be resolved through cross
 motions for summary judgment.

18 2. The parties jointly request that the Court take the motions currently set for hearing on November
 19 16, 2007 under submission without oral argument.

20 Dated: November 7, 2007

21 Respectfully submitted,

23 /S/

24

JUSTIN X. WANG
 Attorney for Plaintiff

27 SCOTT N. SCHOOLS
 United States Attorney

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3 Dated: November 7 , 2007
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/S/
MELANIE L. PROCTOR
Assistant U.S. Attorney
Attorney for Defendants

7 **ORDER**
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Pursuant to the stipulation, the November 16, 2007 hearing and case management
conference is VACATED.

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11 DATED: November 9, 2007
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Maxine M. Chesney
MAXINE M. CHESNEY
United States District Judge